

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES
				1 of 19
2. AMENDMENT/MODIFICATION NO. 2	3. EFFECTIVE DATE 15-Mar-2003	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	
6. ISSUED BY US Army Corps of Engineers, Kansas City District 760 Federal Building, 601 East 12th Street Kansas City, Missouri 64106-2896		7. ADMINISTERED BY (If other than item 6)		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x) 9a. AMENDMENT OF SOLICITATION NO. X DACW41-03-R-0063 9B. DATED (SEE ITEM 11) 3/1/2003 10A. MODIFICATION OF CONTRACT/ORDER NO. 10B. DATED (SEE ITEM 13)		
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☒ The above number solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☒ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
 (a) By completing Items 8 and 15, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegraph which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS,
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(x)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBER CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF:
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Prospect Bridge and Brush Creek Re-Channelization
Kansas City, Missouri

The Solicitation is amended in accordance with the attached pages.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR		16B. UNITED STATES OF AMERICA	
15C. DATE SIGNED		16C. DATE SIGNED	
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

The SOLICITATION is amended as follows:

1. SF 1442 SOLICITATION, OFFER, AND AWARD: Replace pages 151 through 171 with the attached pages. Note: complete section is available on the Kansas City District Contracting web site at:

<http://www.nwk.usace.army.mil/contract/contract.html>

2. Offerors are required to acknowledge receipt of this amendment on the Proposal Form, in the space provided, or by separate letter or telegram prior to receipt of offers. Failure to acknowledge all amendments may cause rejection of the offer.

3. Proposals will be received until 2:00 p.m., local time, 27 March 2003, in Room 760 Federal Building, 601 E. 12th Street, Kansas City, Missouri 64106-2896. Points of Contact are as follows:

Contract Specialist:	Gregg Gullledge	816-983-3808
Project Manager:	Kent Myers	816-983-3399

SUBMISSION REQUIREMENTS AND INSTRUCTIONS

1. PROPOSALS

Proposals for the work described herein will be received until the date and time indicated on Standard Form 1442 in Section 00010, at the following address:

U.S. Army Engineer District, Kansas City
757 Federal Building
601 East 12th Street
ATTN: CENWK-CT-C/Gulledge
Kansas City, Missouri 64106-2896

2. PROPOSAL FORMAT

a. The proposals (originals) shall be no more than 50 pages total all volumes. Pages in excess of 50 pages will not be evaluated. Proposals shall be submitted in the following format:

Proposal Document		Original	Copies
VOLUME 1, Part 1	-Technical	1	6
VOLUME 1, Part 2	- Subcontracting Plan	1	6
VOLUME 2	-Price	1	1

The information required by paragraph: INSTRUCTIONS TO OFFERORS—COMPETITIVE ACQUISITION, subparagraph C (2), shall be included in Volume 1, before Part 1.

b. Proposal Characteristics.

(1) All text must be legible and easily read. The page size of the offeror's proposal shall not exceed 8-1/2 inch by 11 inch. Diagrams, charts and tables shall conform to the paper size. All text shall be typed single-spaced. Margins (1-inch) shall be clean and clear. If foldout charts are unavoidable and are to be utilized, all sheets shall be reproduced on 11 inch by 17 inch, and folded to 8-1/2 inch by 11-inch sheet size with title clearly visible at bottom right corner. Each volume shall be contained within a 3-ring binder (no heat or spiral bound volumes).

(2) All proposals shall contain the requirements stated herein and every volume shall be identified by the volume number and name, address, and telephone number of the offeror on the cover sheet. Each volume shall also contain a Table of Contents, List of Tables, List of Figures, List of Appendices, List of Acronyms and at the bottom left side of each page the volume number shall be included. The list of acronyms should include all acronyms appearing in the volume. The offeror's name, address, signature, and telephone number shall appear on any document to be evaluated.

(3) Proposal clarity, organization (as requested in this solicitation) and cross referencing is mandatory. No material shall be incorporated by reference. General cross-references or cross referencing guides will not be considered as appropriate cross-references. In order for the proposal to receive an in-depth evaluation, it is necessary that the proposal be presented in a manner that will provide clarity, organization and cross referencing as required.

(4) Each evaluation factor and sub factor in Volume 1 shall be described in a separate section, appropriately tabbed in a report form. The information in all volumes shall be concise. Elaborate presentations are not necessary or desirable.

(5) The offeror shall submit Section 00010 (including Standard Form 1442) of this solicitation with his prices. Offerors may be required to provide complete cost and pricing data and certification or information other than cost or pricing data at a later date if needed to adequately evaluate price proposals.

3. PROPOSAL CONTENT

a. The Government intends to award a contract based on initial proposals received, without discussion of such proposals, to the offeror providing the **lowest price technically acceptable proposal** to the government as evaluated using applicable factors. Accordingly, each initial proposal should be submitted on the most favorable terms from a price and technical standpoint that the offeror can submit to the Government. However, the Government may request additional information from offerors, which clarifies, supplements and/or changes, any proposal as submitted. The government may conduct discussions with offeror's.

b. Each offeror's ability to perform the work set forth in this solicitation will be evaluated on the basis of his knowledge and understanding of the work, the quality provided by his total proposal and his capability and responsibility to accomplish the project. The evaluation will be based on the offeror's proposal. While knowledge of the RFP requirements is a prerequisite to preparing proposals, restatement of the RFP requirements shall be avoided. Proposals shall emphasize knowledge and understanding of work performance, not work identification.

c. The following factors and sub factors will be used to evaluate each proposal.

FACTOR 1. Past Performance. Past performance information may be obtained from other than the sources identified by the offeror, to include past performance evaluations in the Construction Contractors Appraisal Support System (CCASS).

Provide Past Performance Evaluation forms for the following: Your **ten most recently completed government or private contracts**; any contracts submitted under **Factor 2, Corporate Experience** (if the corporate experience is from a subcontractor, submit the Past Performance Evaluation on the subcontractor). The Past Performance Evaluation Questionnaire along with a sample transmittal letter are located at the end of this section and must be completed by personnel for whom the offeror has performed work. These Performance Evaluations must be provided by the offeror to persons who have knowledge of this information on past performance. Once completed, these evaluations must be sent directly to the address in paragraph: **PROPOSALS**, above, by the persons completing these evaluations. The offeror may also e-mail the questionnaires to the references for the past/current contract. References may then electronically complete the questionnaire and e-mail it to **Gregg C. Gulledge, Contract Specialist <Gregg.C.Gulledge@nwk02.usace.army.mil>**. E-mailed or mailed questionnaires must be received by the Government no later **than the closing date of the RFP. Questionnaires received after the closing date of the RFP will be discarded and will not be evaluated.**

The offeror shall not review the Performance Evaluations after they have been completed, and the persons completing these evaluations shall be informed that the Government will hold their names confidential. At no time during the evaluation process, debriefings or after award, will the names of the individuals providing reference information about an offeror's past performance is revealed to the offeror or to any other party.

The Performance Evaluations should clearly identify the proposer's identity and the project or portion of a project being evaluated. It is helpful to give your evaluators a short synopsis of the project or portion of a project that you wish them to evaluate. It is also helpful to include an SASE or overnight delivery envelope addressed to the address found in paragraph: **PROPOSALS**, and inform the evaluators to forward the evaluation in a timely manner. It is the proposer's responsibility to

ensure that evaluators have completed and forwarded the evaluation in a timely manner. Those Performance Evaluations not received by the closing date of the RFP will be discarded and will not be evaluated.

In addition, the offeror will provide the following information in the proposal, Volume 1, about these ten contracts:

- (a) Title, location and contract number.
- (b) Dates of contract execution (start and completion).
- (c) Contracting agency.
- (d) At least two current points of contact (names, current phone and fax numbers).
- (e) SF 294s, where available. If the project was done for a non-federal organization, information normally provided on a SF 294 shall be provided in letter format.
- (f) Brief description of the circumstances surrounding the following as they apply and any corrective action taken to preclude recurrence:
 - (i) Contract termination, in whole or in part.
 - (ii) Failure to complete awarded work.
 - (iii) Liquidated damages or actual damages assessed for delay in meeting completion dates.
- (g) Brief descriptions of the project to include size and location.

The following sub factors will be evaluated by the Government:

- (1) **Quality of Product and Services.** Reviews how well the offeror has complied with contract requirements in the past and conformance with standards of good workmanship.
- (2) **Customer Satisfaction.** Reviews how satisfied prior customers and end users are with the offeror's completed work. Includes the willingness of prior customers to do business with the offeror again if given the choice.
- (3) **Timeliness of Performance.** Reviews how well the contractor has adhered to contract schedules.
- (4) **Sub Contracting Support for Small Business and Small Disadvantaged Business.** Reviews contractor's commitment to small business and small disadvantaged business and women-owned businesses.

FACTOR 2. Corporate Experience. At a minimum, the proposal must demonstrate that within the past five years the offeror, or the bridge subcontractor, if there is one, has satisfactorily constructed to substantial completion two or more 2 lane multi-span bridges with pier construction.

FACTOR 3. Schedule. This factor considers the offeror's capability to execute this work in a timely manner. Offerors shall submit milestone dates required by this solicitation and additional critical milestone dates for major work items, which will reflect the offeror's planned sequence of execution to develop the most expeditious completion

date for this project. A minimum of twenty (20) critical path milestones shall be provided with the offeror's proposal. Offerors shall use durations, not calendar dates, to describe their schedule. (For example: "The offeror will complete task XX within 10 days after the government issues notice to proceed.") Schedule shall be displayed on a "Gantt Chart" which indicates sequence, duration and milestones.

The Government reserves the right to incorporate proposed schedule into the contract.

FACTOR 4. Quality Control Management Program (QCMP). The Offeror must provide a complete and comprehensive discussion of quality control to support the performance requirements of Specifications Section 01451 of this RFP. This information shall include, but not be limited to, the following items:

- 1) Describe the process by which the QC staff will monitor work in the field and how action is to be taken to correct deficiencies.
- 2) Describe the process by which the QC staff will work with government quality assurance personnel and the Contracting Officer to insure timely action is taken on deficiencies or quality problems in the field.
- 3) Describe the procedures by which submittals will be processed and managed.
- 4) It shall not be dependent on the contractor's other internal management plans.

The Offeror must indicate how it intends to incorporate the Three Phase Inspection process to provide seamless integration with the Quality Assurance Operations performed by the Government.

ADDITIONAL INFORMATION TO BE PROVIDED IN VOLUME 2:

- The Offer (the SF1442) duly executed with an original signature by an official authorized to bind the company.
- Acknowledgement of all amendments to the solicitation in accordance with the instructions on the Standard Form 30 (amendment form).
- The completed Section 00600 of the solicitation (Representations and Certifications).
- For joint ventures, the information required by paragraph "Joint Ventures."
- Bid Bonds

JOINT VENTURES

Joint ventures shall submit the following additional documentation regarding their business entities:

- A certified copy of their Joint Venture agreement.
- A detailed statement outlining the following in terms of percentages, where appropriate.
- The relationship of the joint venture parties in terms of business ownership, capital contribution, and profit distribution or loss sharing.
- The management approach of the joint venture in terms of who will conduct, direct, supervise and control the project and have custody and control of the assets of the joint venture and perform the duties necessary to complete the work.
- The structure of the joint venture and decision-making responsibilities of the joint venture parties in terms of who will control the manner and method of performance of the work.
- The bonding responsibilities of the joint venture parties.
- Identification of the key personnel having authority to legally bind the joint venture to subcontracts and state who will provide or contract for the labor and materials for the joint venture.
- Identification of party maintaining the joint venture bank accounts for the payment of all expenses and the deposits of all receipts, keep the books and records, and pay applicable taxes for the joint venture.
- Identification of party furnishing the facilities, such as office supplies and telephone service.
- Identification of party having overall control of the joint venture.

Other sections of the proposal shall identify, where appropriate, whether key personnel are employees of the individual joint venture parties and identify the party, or hired as employees of the joint venture.

If one of the joint venture parties possesses experience and/or past performance as a Federal Government contractor or as a Corps of Engineers contractor, that experience and/or past performance will be included as the experience and/or past performance of the joint venture.

SAMPLE TRANSMITTAL LETTER
AND
PAST PERFORMANCE EVALUATION QUESTIONNAIRE

Date: _____

To: _____

We have listed your firm as a reference for work we have performed for you as listed below. Our firm will be submitting a proposal under a project advertised by the U.S. Army Corps of Engineers, Kansas City District. In accordance with Federal Acquisition Regulations (FAR), an evaluation of our firm's past performance will be completed by the Corps of Engineers. Your candid response to the attached questionnaire will assist the evaluation team in this process.

We understand that you have a busy schedule and your participation in this evaluation is greatly appreciated. Please complete the enclosed questionnaire as thoroughly as possible. Space is provided for comments. Understand that while the responses to this questionnaire may be released to the offeror, FAR 15.306 (e)(4) prohibits the release of the names of the persons providing the responses. Complete confidentiality will be maintained. Furthermore, a questionnaire has also been sent to _____ of your organization. Only one response from each office is required. If at all possible, we suggest that you individually answer this questionnaire and then coordinate your responses with that of _____, to forge a consensus on one overall response from your organization.

Please send your completed questionnaire to the following address:

U.S. Army Engineer District, Kansas City
ATTN: CENWK-CT-C/Gregg C. Gulledge
757 Federal Building
601 East 12th Street
Kansas City, Missouri 64016-2896

The questionnaires can also be faxed to 816-426-5169 or e-mailed to Gregg.C.Gulledge@usace.army.mil.

If you have questions regarding the attached questionnaire, or require assistance, please contact Mr. Gulledge at (816) 983-3808. Thank you for your assistance.

PAST PERFORMANCE EVALUATION QUESTIONNAIRE

Upon completion of this form, please send directly to the U.S. Army Corps of Engineers in the enclosed addressed envelope, fax to 816-426-5777, ATTN: Gregg C. Gulledge, or e-mail to Gregg.C.Gulledge@usace.army.mil. Do not return this form to the contractor's offices. Thank you.

1. Contractor/Name & Address (City and State):

2. Type of Contractor: ____ Construction ____ Design ____ Design Build

3. Type of Contract: Fixed Price _____ Cost Reimbursement _____
Other (Specify) _____

4. Title of Project/Contract Number: _____

5. Description of Work: (Attach additional pages as necessary)

6. Complexity of Work: High _____ Mid _____ Routine _____

7. Location of Work: _____

8. Date of Award: _____

9. Status: Active _____ (provide percent complete)
Complete _____ (provide completion date)

10. Name, address and telephone number of Contracting Officer's Technical Representative:

11. Name, Title, Address and Telephone Number of Individual completing survey:

12. Date Questionnaire Completed: _____

Please note: Adverse remarks will be provided to contractors in the competitive range for award for response in accordance with Federal Acquisition Regulation requirements. The contracting office will not however, provide your name or copies of this questionnaire to the contractor or any other party not directly involved in the evaluation of the contractor's proposal. Your response to this questionnaire must be received in the contracting office no later than the closing date of the RFP. Questionnaires received after this date will be discarded and will not be evaluated. The evaluation team, if they so choose, may call you for clarification or additional information.

Please answer each of the following questions. **If the rating is other than average or satisfactory please provide additional information in the remarks section.**

QUALITY OF PRODUCT/SERVICE:

1. Evaluate the contractor's performance in complying with contract requirements, quality achieved and overall technical expertise demonstrated.

Excellent Quality	Above Average Quality	Average Quality	Below Average Quality	Unsuccessful or Experienced Significant Quality Problems

Remarks:

2. To what extent were the contractor's reports and documentation accurate, complete and submitted in a timely manner?

Excellent Quality	Above Average Quality	Average Quality	Below Average Quality	Unsuccessful or Experienced Significant Quality Problems

Remarks:

3. To what extent was the contractor able to solve contract performance problems without extensive guidance from government/owner counterparts?

Excellent	Above Average	Average	Below Average	Unsuccessful

Remarks:

4. How well did the contractor manage and coordinate subcontractors, suppliers, and the labor force?

Excellent	Above Average	Average	Below Average	Unsuccessful

Remarks:

CUSTOMER SATISFACTION:

5. To what extent were the end users satisfied with:

	Quality?	Cost?	Schedule?
Exceptionally satisfied			
Highly satisfied			
Satisfied			
Somewhat Dissatisfied			
Highly dissatisfied			

Remarks:

6. If given the opportunity, would you work with this contractor again?

Yes _____

No _____

Not Sure _____

Remarks:

TIMELINESS OF PERFORMANCE:

7. To what extent did the contractor meet the contract schedule?

Completed substantially ahead of schedule	
Completed work on schedule with no time delays	
Completed work on schedule, with minor delays under extenuating circumstances	
Experienced significant delays without justification	

Remarks:

8. If work was not completed on schedule, were Liquidated Damages, or other similar penalties assessed?

_____ Yes _____ No

Remarks:

9. If work was completed ahead of schedule, were incentives paid to the contractor?

_____ Yes _____ No

Remarks:

SUBCONTRACTING TO SMALL BUSINESSES

10. Were you satisfied with contractor's effort to sub contract to SB/SDB ? (Answer is N/A if Small Business)

_____ Yes _____ No

Remarks:

11. Did the contractor partner or have a mentor/protégée relationship with SB/SDB/WOSB as part of this contract?

Yes _____ No _____ Mentor/Protégée Not Allowed _____

Remarks:

OTHER REMARKS:

12. Use the space below to provide other information related to the contractor's performance. This may include the contractor's selection and management of subcontractors, effectiveness of their small/small disadvantaged business subcontracting plan, flexibility in dealing with contract challenges, their overall concern for the Government's interest (if applicable), project awards received, etc.

PROPOSAL EVALUATION AND CONTRACT AWARD

1. PROPOSAL EVALUATION

The factors for consideration in the evaluation of proposal received in response to this solicitation are as follows:

FACTOR 1 – PAST PERFORMANCE: The government may obtain past performance information from sources other than those identified by the offeror, including but not limited to past performance evaluations in the Construction Contractors Appraisal Support System (CCASS).

The Government will evaluate the following sub factors:

a. **Quality of Product and Services.** Reviews how well the offeror has complied with contract requirements in the past and conformance with standards of good workmanship. The minimum acceptable level for quality is a rating of Average on similar projects.

b. **Customer Satisfaction.** Reviews how satisfied prior customers and end users are with the offeror's completed work. Includes the willingness of prior customers to do business with the offeror again if given the choice. The minimum acceptable level is a rating of Satisfied in customer satisfaction on similar projects.

c. **Timeliness of Performance.** Reviews how well the contractor has adhered to contract schedules. The proposal will not be considered technically acceptable unless it demonstrates that at a minimum, the prime contractor (and the bridge subcontractor, if the bridge will be constructed by a subcontractor) **complete projects on schedule unless excused by extenuating circumstances**. For projects that are not yet complete, the proposal must demonstrate that critical path milestones have been met unless excused by extenuating circumstances. Offerors with no past performance history will not be penalized; however, such offerors must have a bridge subcontractor with past performance history that meets this minimum requirement.

d. **Sub Contracting Support for Small Business and Small Disadvantaged Business.** The minimum acceptable level requires that most customers were satisfied with Contractor's efforts to sub contract with Small Business and Small Disadvantage Business.

FACTOR 2 – CORPORATE EXPERIENCE: At a minimum, the proposal must demonstrate that within the past five years the offeror, or the bridge subcontractor, if there is one, has satisfactorily constructed to substantial completion two or more 2 lane multi-span bridges with pier construction.

FACTOR 3 – SCHEDULE: This factor considers the offeror's capability to execute this work in a timely manner. Offerors shall submit milestone dates required by this solicitation and additional critical milestone dates for major work items, which will reflect the offeror's planned sequence of execution to develop the most expeditious completion date for this project. A minimum of twenty (20) critical path milestones shall be provided with the offeror's proposal. Schedule shall be displayed on a "Gantt Chart" which indicates sequence, duration and milestones.

a. **EXECUTION OF WORK TASKS:** At a minimum, the proposal must demonstrate that the offeror can meet the schedule in the solicitation. Proposals that fail to demonstrate this will not be considered technically acceptable. The schedule is contained in Specifications Section 01100 GENERAL, paragraph 1.46 and 1.47.

b. **NETWORK ANALYSIS:** Milestones must be based upon a network analysis, which satisfies the requirements of this solicitation.

- c. **REASONABLENESS OF DATES:** Project completion date or intermediate milestones which are not reasonable or realistic will result in the proposal being considered not technically unacceptable.

FACTOR 4 - QUALITY CONTROL MANAGEMENT PROGRAM (QCMP):

Quality Control: The Offeror must provide a complete and comprehensive discussion of quality control to support the performance requirements of Specifications Section **01451** of this RFP. This information shall include, but not be limited to, the following items:

- 1) Describe the process by which the QC staff will monitor work in the field and how action is to be taken to correct deficiencies.
- 2) Describe the process by which the QC staff will work with government quality assurance personnel and the Contracting Officer to insure timely action is taken on deficiencies or quality problems in the field.
- 3) Describe the procedures by which submittals will be processed and managed.
- 4) It shall not be dependent on the contractor's other internal management plans.

The Offeror must indicate how it intends to incorporate the Three Phase Inspection process to provide seamless integration with the Quality Assurance Operations performed by the Government. Proposals that fail to describe an acceptable QCMP and an understanding of QCMP as required in this Factor will not be considered as acceptable for award.

2. EVALUATION PROCESS

Proposals will first be evaluated on the 4 technical factors listed herein. Those offers that are found to be technically acceptable on all 4 factors will be evaluated on price. The Government intends to make award to the technically acceptable proposal that offers the lowest price.

3. BASIS FOR AWARD

The Government will award a firm-fixed-price contract to that responsible Offeror whose proposal, conforming to the solicitation, is fair and reasonable, and been determined to be most advantageous to the Government. Award will be made to the **lowest price technically acceptable** offer in accordance with FAR 15.504.

4. PAST PERFORMANCE

In the course of evaluating offerors' proposals, the Source Selection Evaluation Board may contact references submitted by the offeror. The SSEB may also check past performance information obtained from sources other than those identified by the offeror. All gathered information will be used to evaluate the offeror's overall past performance.

Sheer numbers of confirmed negative comments may not give the offeror an overall rating of less than satisfactory. Negative comments in areas that are not of vital importance to the successful performance of this contract may not result in a rating of less than satisfactory. Conversely, one or only a few negative confirmed comments in areas of vital importance to the successful performance of this contract may render an overall past performance rating less than satisfactory.

During the evaluation, the following will also be taken into consideration: the age and relevance of past performance information; the offeror's overall work record; if there are any problems identified, the number, type, and severity of the problems and the effectiveness of corrective actions taken.

At no time during this process, nor during the debriefing, nor after award, will the names of the individuals providing reference information about an offeror's past performance be revealed to the offerors or to any other party. Offerors may be afforded the opportunity to respond to adverse comments made by references in accordance with guidelines identified in FAR Part 15.3. In this case, comments will be extracted and provided to the offeror. Copies of the questionnaires will not be furnished to the offeror and will remain confidential.

During the evaluation process the SSA may also consider past performance information in evaluating overall risk associated with a particular proposal.

5. DEBRIEFING

In accordance with FAR 15.505 Preaward Debriefing of Offerors, and FAR 15.506 Postaward Debriefing of Offerors, the offeror should be aware of the following.

PREAWARD DEBRIEFING OF OFFERORS (FAR 15.505)

Selections may be made without discussions.

(a)(1) The offeror may request a preaward debriefing by submitting a written request for debriefing to the Contracting Officer within 3 days after receipt of the notice of exclusion from the competition.

(2) At the offeror's request, this debriefing may be delayed until after award. If the debriefing is delayed until after award, it shall include all information normally provided in a postaward debriefing (see 15.506(d)). Debriefings delayed pursuant to this paragraph could affect the timeliness of any protest filed subsequent to the debriefing.

(3) If the offeror does not submit a timely request, the offeror need not be given either a preaward or a postaward debriefing. Offerors are entitled to no more than one debriefing for each proposal.

(b) The Contracting Officer shall make every effort to debrief the unsuccessful offeror as soon as practicable, but may refuse the request for a debriefing if, for compelling reasons, it is not in the best interests of the Government to conduct a debriefing at that time. The rationale for delaying the debriefing shall be documented in the contract file. If the Contracting Officer delays the debriefing, it shall be provided no later than the time postaward debriefings are provided under 15.506. In that event, the Contracting Officer shall include the information at 15.506(d) in the debriefing.

(c) Debriefings **shall be done, in writing**, or by any other method acceptable to the Contracting Officer.

The Contracting Officer should normally chair any debriefing session held. Individuals who conducted the evaluations shall provide support.

At minimum, preaward debriefings shall include--

(1) The agency's evaluation of significant elements in the offeror's proposal;

(2) A summary of the rationale for eliminating the offeror from the competition; and

(3) Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed in the process of eliminating the offeror from the competition.

Preaward debriefings shall not disclose--

The number of offerors;

The identity of other offerors;

The content of other offerors' proposals;

The ranking of other offerors;

The evaluation of other offerors; or

Any of the information prohibited in 15.506(e).

An official summary of the debriefing shall be included in the contract file.

POSTAWARD DEBRIEFING OF OFFERORS FAR 15.506

(a)(1) An offeror, upon its written request received by the agency within 3 days after the date on which that offeror has received notification of contract award in accordance with 15.503(b), shall be debriefed and furnished the basis for the selection decision and contract award.

(2) To the maximum extent practicable, the debriefing should occur within 5 days after receipt of the written request. Offerors that requested a postaward debriefing in lieu of a preaward debriefing, or whose debriefing was delayed for compelling reasons beyond contract award, also should be debriefed within this time period.

(3) An offeror that was notified of exclusion from the competition (see 15.505(a)), but failed to submit a timely request, is not entitled to a debriefing.

(4)

(i) Untimely debriefing requests may be accommodated.

(ii) Government accommodation of a request for delayed debriefing pursuant to 15.505(a)(2), or any untimely debriefing request, does not automatically extend the deadlines for filing protests. Debriefings delayed pursuant to 15.505(a)(2) could affect the timeliness of any protest filed subsequent to the debriefing.

(b) Debriefings of successful and unsuccessful offerors may be done orally, in writing, or by any other method acceptable to the Contracting Officer.

(c) The Contracting Officer should normally chair any debriefing session held. (Individuals who conducted the evaluations shall provide support.)

At a minimum, the debriefing information shall include--

(1) The Government's evaluation of the significant weaknesses or deficiencies in the offeror's proposal, if applicable;

(2) The overall evaluated price (including unit prices), and technical rating, if applicable, of the successful offeror and the debriefed offeror, and past performance information on the debriefed offeror;

(3) The overall ranking of all offerors, when any ranking was developed by the agency during the source selection;

- (4) A summary of the rationale for award;
 - (5) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror; and
 - (6) Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.
- (e) The debriefing shall not include point-by-point comparisons of the debriefed offeror's proposal with those of other offerors. Moreover, the debriefing shall not reveal any information prohibited from disclosure by 24.202 or exempt from release under the Freedom of Information Act (5 U.S.C. 552) including--
- (1) Trade secrets;
- Privileged or confidential manufacturing processes and techniques;
- (3) Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; and
 - (4) The names of individuals providing reference information about an offeror's past performance.
 - (f) An official summary of the debriefing shall be included in the contract file.

PreBid Conference Questions and Answers

Q: Do the Technical Proposal requirements intend for a complete QCM plan to be submitted? If so, does that meet the requirements for post award submittal?

A: No, a complete QCM plan is **not** to be submitted as part of the Technical Proposal. The requirement is for the contractor to **describe** its approach to QC as outlined in the Proposal Content section. If the bridge is to be constructed by a subcontractor, address the approach to QC on the bridge versus the channel work. Example: Who will provide the QC personnel for the bridge? A full QCM plan will be required to be submitted after award for acceptance as stipulated in the specifications.

Q: How many references are required for the Technical Proposal?

A: The 10 most recent contracts, plus all bridge contracts. If you are using a subcontractor for the bridge, supply Past Performance forms on the subcontractor's prior bridge contracts. **This reflects an amendment to the solicitation.**

Q: Do we have to submit a complete Subcontracting Plan in the Technical Proposal?

A: No, **The Subcontracting Factor has been deleted by amendment** and there are now four evaluation factors. A satisfactory subcontracting plan will be required prior to award. Subcontracting with Small and Small Disadvantaged Businesses has been **added by amendment** as a Subfactor under Past Performance.

Q: Does the government expect to award all the options in the bid schedule?

A: It can not be anticipated at this time what options will be awarded. The options awarded will be at the discretion of the City of Kansas City, Missouri and funded by them.

Q: It looks like some changes may be required if options are not awarded. Would we expect an amendment to change this?

A: If it becomes necessary to alter the design due to not awarding an option, it will be addressed at that time. There are no known changes expected at this time.

Q: The schedule factor requires inclusion of a contract schedule in Specification 01100 - General. Could you clarify or be more specific?

A: This is in reference to the milestone dates provided in paragraphs 1.46 and 1.47 of Section 01100 as being the minimum required from the specifications to be included in the Technical Proposal in addition to milestones the contractors propose.